TITLE 3—THE PRESIDENT

This title was enacted by act June 25, 1948, ch. 644, § 1, 62 Stat. 672

Chap.		Sec.
3.	Protection of the President; the White House Police[1]	201

CHAPTER 1—PRESIDENTIAL ELECTIONS AND VACANCIES

§ 19. Vacancy in offices of both President and Vice President; officers eligible to act

[*See main edition for text of (a) to (c)*]

(d)(1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is no President pro tempore to act as President under subsection (b) of this section, then the officer of the United States who is highest on the following list, and who is not under disability to discharge the powers and duties of the office of President shall act as President: Secretary of State, Secretary of the Treasury, Secretary of Defense, Attorney General, Secretary of the Interior, Secretary of Agriculture, Secretary of Commerce, Secretary of Labor, Secretary of Health, Education, and Welfare, Secretary of Housing and Urban Development, Secretary of Transportation, Secretary of Energy.

[*See main edition for text of (2) and (3); (e) and (f)*]

(As amended Aug. 4, 1977, Pub. L. 95-91, title VII, § 709(g), 91 Stat. 609.)

AMENDMENTS

1977—Subsec. (d)(1). Pub. L. 95-91 added the Secretary of Energy following the Secretary of Transportation in the enumeration of officers designated to act as President.

CHAPTER 2—OFFICE AND COMPENSATION OF PRESIDENT

Sec.
105. Assistance and services for the President.
106. Assistance and services for the Vice President.
107. Domestic Policy Staff and Office of Administration; personnel.
108. Assistance to the President for unanticipated needs.
109. Public property in and belonging to the Executive Residence at the White House.
110. Furniture for the Executive Residence at the White House.
112. Detail of employees of executive departments.
113. Personnel report.
114. General pay limitation.

[1] Chapter heading amended to read "Protection of the President; United States Secret Service Uniformed Division" by Pub. L. 95-179 without amending chapter analysis.

AMENDMENTS

1978—Pub. L. 95-570, §§ 1(b), 2(b), 3(b), 5(b)(2), (c)(2), Nov. 2, 1978, 92 Stat. 2447, 2449, 2450, 2451, substituted in item 105 "Assistance and services for the President" for "Compensation of secretaries and executive, administrative, and staff assistants to President"; in item 106 "Assistance and services for the Vice President" for "Administrative assistants"; in item 107 "Domestic Policy Staff and Office of Administration; personnel" for "Detail of employees of executive departments to office of President"; in item 108 "Assistance to the President for unanticipated needs" for "Accommodations for vehicles"; and in item 109 "the Executive Residence at the White House" for "Executive Mansion"; inserted in item 110 "the Executive Residence at the" preceding "White House"; and added items 112, 113 and 114.

REORGANIZATION PLAN NO. 1 OF 1977

42 F.R. 56101, 91 Stat. 1633

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, July 15, 1977,[1] pursuant to the provisions of Chapter 9 of Title 5 of the United States Code.

EXECUTIVE OFFICE OF THE PRESIDENT

SECTION 1. REDESIGNATION OF DOMESTIC COUNCIL STAFF

The Domestic Council staff is hereby designated the Domestic Policy Staff and shall consist of such staff personnel as are determined by the President to be necessary to assure that the needs of the President for prompt and comprehensive advice are met with respect to matters of economic and domestic policy. The staff shall continue to be headed by an Executive Director who shall be an Assistant to the President, designated by the President, as provided in Section 203 of Reorganization Plan No. 2 of 1970 [set out in the Appendix to Title 5, Government Organization and Employees]. The Executive Director shall perform such functions as the President may from time to time direct.

SEC. 2. ESTABLISHMENT OF AN OFFICE OF ADMINISTRATION

There is hereby established in the Executive Office of the President the Office of Administration which shall be headed by the President. There shall be a Director of the Office of Administration. The Director shall be appointed by the President and shall serve as chief administrative officer of the Office of Administration. The President is authorized to fix the compensation and duties of the Director.

The Office of Administration shall provide components of the Executive Office of the President with such administrative services as the President shall from time to time direct.

[1] As amended Sept. 15, 1977.

SEC. 3. ABOLITION OF COMPONENTS

The following components of the Executive Office of the President are hereby abolished:

A. The Domestic Council;

B. The Office of Drug Abuse Policy;

C. The Office of Telecommunications Policy; and

D. The Economic Opportunity Council.

SEC. 4. APPOINTMENT OF THE ASSISTANT SECRETARY OF COMMERCE FOR COMMUNICATIONS AND INFORMATION

There shall be in the Department of Commerce an Assistant Secretary for Communications and Information who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall be entitled to receive compensation at the rate now or hereafter prescribed by law for Level IV of the Executive Schedule [5 U.S.C. 5315].

SEC. 5. TRANSFERS OF FUNCTIONS

The following functions shall be transferred:

A. All functions vested in the Director of the Office of Science and Technology Policy and in the Office of Science and Technology Policy pursuant to sections 205(a)(2), 206 and 209 of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (Public Law 94-282; 90 Stat. 459) [sections 6614(a)(2), 6615 and 6618 of Title 42, The Public Health and Welfare], are hereby transferred to the Director of the National Science Foundation. The Intergovernmental Science, Engineering, and Technology Advisory Panel, the President's Committee on Science and Technology, and the Federal Coordinating Council for Science, Engineering and Technology, established in accordance with the provisions of Titles II, III, IV of the National Science and Technology Policy, Organization, and Priorities Act of 1976 [sections 6611 et seq., 6631 et seq., and 6651 et seq. of Title 42], are hereby abolished, and their functions transferred to the President.

B. Those functions of the Office of Telecommunications Policy and of its Director relating to:

(1) the preparation of Presidential telecommunications policy options including, but not limited to those related to the procurement and management of Federal telecommunications systems, national security, and emergency matters; and

(2) disposition of appeals from assignments of radio frequencies to stations of the United States Government; are hereby transferred to the President who may delegate such functions within the Executive Office of the President as the President may from time to time deem desirable. All other functions of the Office of Telecommunications Policy and of its Director are hereby transferred to the Secretary of Commerce who shall provide for the performance of such functions.

C. The functions of the Office of Drug Abuse Policy and its Director are hereby transferred to the President, who may delegate such functions within the Executive Office of the President as the President may from time to time deem desirable.

D. The functions of the Domestic Council are hereby transferred to the President, who may delegate such functions within the Executive Office of the President as the President may from time to time deem desirable.

E. Those functions of the Council on Environmental Quality and the Office of Environmental Quality relating to the evaluation provided for by Section 11 of the Federal Nonnuclear Energy Research and Development Act of 1974 (Public Law 93-577, 88 Stat. 1878) [section 5910 of Title 42], are hereby transferred to the Administrator of the Environmental Protection Agency.

F. Those functions of the Office of Management and Budget and its Director relating to the Committee Management Secretariat (Public Law 92-463, 86 Stat. 770, as amended by Public Law 94-409, 90 Stat. 1247) [see section 7 of the Federal Advisory Committee Act, Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 774, as amended, set out in the Appendix to Title 5, Government Organization and Employees] are hereby transferred to the Administrator of General Services.

G. The functions of the Economic Opportunity Council are hereby transferred to the President, who may delegate such functions within the Executive Office of the President as the President may from time to time deem desirable.

SEC. 6. INCIDENTAL TRANSFERS

So much of the personnel, property, records, and unexpended balances of appropriations, allocations and other funds employed, used, held, available, or to be made available in connection with the functions transferred under this Plan, as the Director of the Office of Management and Budget shall determine, shall be transferred to the appropriate department, agency, or component at such time or times as the Director of the Office of Management and Budget shall provide, except that no such unexpended balances transferred shall be used for purposes other than those for which the appropriation was originally made. The Director of the Office of Management and Budget shall provide for terminating the affairs of all agencies abolished herein and for such further measures and dispositions as such Director deems necessary to effectuate the purposes of this Reorganization Plan.

SEC. 7. EFFECTIVE DATE

This Reorganization Plan shall become effective at such time or times on or before April 1, 1978, as the President shall specify, but not sooner than the earliest time allowable under Section 906 of Title 5 of the United States Code.

MESSAGE OF THE PRESIDENT

To the Congress of the United States:

I herewith transmit my plan for the Reorganization of the Executive Office of the President (EOP), Reorganization Plan No. 1 of 1977. This plan is the first of a series I intend to submit under the reorganization authority vested in me by the Reorganization Act of 1977 (Public Law 95-17). It adheres to the purposes set forth in Section 901(a) of the Act [see section 901(a) of Title 5, Government Organization and Employees].

This plan in conjunction with the other steps I am taking will:

Eliminate seven of the seventeen units now within the EOP and modify the rest. There were 19 units when I took office; the President's Foreign Intelligence Advisory Board and the Economic Policy Board have already been abolished. Thus with this plan I will have eliminated nine of 19 EOP units.

Reduce EOP staffing by about 250 which includes the White House staff reduction of 134 or 28 percent which I have already ordered.

Improve efficiency by centralizing administrative functions; and

Improve the process by which information is provided for Presidential decisionmaking.

These recommendations arise from a careful, systematic study of the EOP. They are based on the premise that the EOP exists to serve the President and should be structured to meet his needs. They will reduce waste and cost while improving the service the President, and the nation, receive from the EOP.

The EOP now consists of the immediate White House Office, the Vice President's Office, the Office of Management and Budget, and fourteen other agencies. The EOP has a budget authority of about $80,000,000 and 1,712 full time employees.

The White House Office concentrates on close personal support including policy and political advice and administrative and operational services. The Office of the Vice President provides similar support to him. OMB's primary mission is to develop and implement the budget; it also carries out a number of management and reorganization activities.

Three EOP units have responsibility for policy development:

National Security Council.
Domestic Council.
Council on International Economic Policy.

The other 11 are more specialized offices that offer analysis and advice, help develop policy in certain areas, or carry out special projects. These are:

Council of Economic Advisers.
Council on Wage and Price Stability.
Office of the Special Representative for Trade Negotiations.
Council on Environmental Quality.
Office of Science and Technology Policy.
Office of Drug Abuse Policy.
Office of Telecommunications Policy.
Intelligence Oversight Board.
Federal Property Council.
Energy Resources Council.
Economic Opportunity Council.

To make the EOP more effective, four steps are necessary:

I. Strengthen management of policy issues.
II. Limit the EOP, wherever possible, to functions directly related to the President's work.
III. Centralize administrative services.
IV. Reduce size of White House and EOP staffs.

I. STRENGTHEN PROCESS MANAGEMENT OF POLICY ISSUES

Perhaps the most important function of the President's staff is to make sure he has the wide variety of views and facts he needs to make decisions. By building a more orderly system for collecting information and advice, the President can make sure that he will hear all the views he should—and hear them in time. To better insure that this happens, I am taking the following actions to:

Institute for domestic and economic issues, a system similar to the Presidential Review Memorandum process currently used for National Security issues.

Create a committee of Presidential advisers, chaired by the Vice President, to set priorities among issues and oversee their staffing.

Assure that Presidential decision memoranda on policy issues are coordinated with Cabinet and EOP advisers most involved with the issue.

Consolidate under the Staff Secretary the two current White House paper circulation systems.

Appoint a group of advisers to review the decisionmaking process periodically.

Give the Assistant to the President for Domestic Affairs and Policy clear responsibility for managing the way in which domestic and most economic policy issues are prepared for Presidential decision.

Assign follow-up responsibility for Presidential decisions as follows: immediate follow-up will be handled by the NSC or Domestic Policy Staff most directly involved in the issue; long term follow-up on selected issues will be handled by the Assistant to the President for Intergovernmental Relations.

These actions recognize that the White House and Executive Office staff must use their proximity to the President to insure that the full resources of the government and the public are brought to bear on Presidential decisions in a timely fashion. It is my purpose in instituting these changes to strengthen Cabinet participation in Presidential decisions.

II. RATIONALIZE EOP STRUCTURE BY LIMITING EOP, WHEREVER POSSIBLE, TO FUNCTIONS WHICH BEAR A CLOSE RELATIONSHIP TO THE WORK OF THE PRESIDENT

As the President's principal staff institution, there are several major things the EOP must do:

Provide day-to-day operational support (e.g., scheduling, appointments) and help the President communicate with the public, the Congress, and the press.

Manage the budget and coordinate Administration positions on matters before the Congress.

Manage the Presidential decisionmaking processes efficiently and fairly, and bring the President the widest possible range of opinions.

Help the President: plan and set priorities; monitor and evaluate progress toward achieving the President's objectives; understand and resolve major conflicts among line subordinates; manage crises, especially in national security matters.

In order to restructure the EOP around these basic functions, the functions of seven units should be discontinued or transferred, and ten units, including the White House Office, should be retained but modified.

Seven units should be discontinued or their functions transferred. These are:

1. Office of Drug Abuse Policy.
2. Office of Telecommunications Policy.
3. Council on International Economic Policy.
4. Federal Property Council.
5. Energy Resources Council.
6. Economic Opportunity Council.
7. Domestic Council.

The functions of the Office of Drug Abuse Policy (ODAP) can be performed by a smaller staff reporting to a Presidential adviser in the EOP. The Office itself will be discontinued.

Much of the work done by the Office of Telecommunications Policy (OTP) can be more effectively performed outside the EOP. It is important that the EOP have the capacity to resolve differences and that the President have immediate advice on telecommunications and information policy, especially on national security, emergency preparedness and privacy issues. This only requires a small staff within EOP. The Office of Management and Budget would take responsibility for Federal telecommunications procurement and management policy and arbitration of interagency disputes about frequency allocation. All other functions except developing Presidential policy options would be transferred to a new office within the Department of Commerce, headed by a new Assistant Secretary for Communications and Information, who will perform many of the functions previously performed by the head of the OTP.

I propose that the Economic Opportunity Council be discontinued; it is dormant and its only active function (preparation of the Catalogue of Federal Domestic Assistance) is being performed by OMB. Three other units are also inactive and should be discontinued: Council on International Economic Policy, the Federal Property Council, and the Energy Resources Council.

The Domestic Council should be abolished. It has rarely functioned as a Council, because it is too large and its membership too diverse to make decisions efficiently. Its functions have been performed entirely by its staff. This Domestic Policy Staff should report to the Assistant to the President for Domestic Affairs and Policy. Under the policy process system described earlier, they should manage the process which coordinates the making of domestic and most economic policy. They should work closely with the Cabinet departments and agencies to insure that the views of the Cabinet and agency heads are brought to the President before decisions are made.

The ten EOP units which will continue with some modification are:

1. White House Office.
2. Office of the Vice President.
3. Office on Management and Budget.
4. Council on Environmental Quality.
5. Council of Economic Advisers.
6. Office of Science and Technology Policy.
7. Office of the Special Representative for Trade Negotiations.
8. National Security Council.
9. Intelligence Oversight Board.
10. Council on Wage and Price Stability.

The operations of the Office of the Vice President reflect the combination of constitutional, statutory,

and Presidentially assigned duties that make it unique among EOP units. Because his interests and assignments cover the same range as the President's, the Vice President requires a staff with expertise in diverse areas. Its basic functions should not be changed. However, I propose that certain support functions—involving accounting, personnel services, and supply—be transferred to a centralized EOP Administrative Unit.

The Office of Management and Budget would remain as a separate entity in the EOP, but some functional changes should be made. Four functions should be transferred from OMB to other parts of the government:

Administration to the new EOP Central Administrative Unit;

Executive Department/Labor Relations (except for Pay Agent, Executive Level Pools, and Legislative Analysis) to the Civil Service Commission;

Advisory Committee Management Secretariat to the General Services Administration;

Statistical Policy (except Forms Clearance) to the Department of Commerce.

I have asked the OMB to reorganize its management arm to emphasize major Presidential initiatives, such as reorganization, program evaluation, paperwork reduction, and regulatory reform.

The Council on Environmental Quality (CEQ) should remain in the EOP as an environmental adviser to the President. The CEQ's major purpose is to provide an independent assessment of our policies for improving the environment. Toward this end, it will analyze long term trends and conditions in the environment. It will advise OMB on the reorganization of natural resources functions within the Federal government. The Council will retain the functions it now has under NEPA and Executive Order No. 11514 with the exception of routine review of the adequacy of impact statements and the administrative aspects of their receipt and handling. The EPA will take over CEQ's evaluation responsibility under the Federal Nonnuclear Energy Research Development Act of 1974 [section 5901 et seq. of Title 42, The Public Health and Welfare]. The CEQ will continue to review and publish the Annual Report on Environmental Quality.

The strength of the Council of Economic Advisers (CEQ) lies in its economic analysis of current policy choices. It also presents objective economic data, makes macroeconomic forecasts, and analyzes economic trends and their impact on the national economy. It will continue with a small reduction in staff.

The Office of Science and Technology Policy (OSTP) should retain those science, engineering, and technology functions which can be so useful in helping the President and his advisers make decisions about policy and budget issues. Instead of the Intergovernmental Science, Engineering, and Technology Advisory Panels, the President should rely on an intergovernmental relations working group, chaired by the Science Adviser. The Federal Coordinating Council on Science and Technology should operate as a sub-Cabinet working group chaired by the Science Adviser. The reorganization work of the President's Committee on Science and Technology would be part of the overall reorganization effort. The responsibility for preparing certain reports should be transferred to the National Science Foundation.

The proposal places manageable limits on OSTP's broad mandate while emphasizing functions that support the President.

The Office of the Special Representative for Trade Negotiations (STR) is now operating effectively and will be retained essentially as is. With the difficult negotiations now underway in Geneva, the benefits of transferring the STR to another agency are outweighed by the potential reduction in its effectiveness as an international negotiator.

The National Security Council (NSC) will be retained in its present form and its staff slightly reduced.

Intelligence Oversight Board (IOB) should be retained to insure that abuses of the past are not repeated and to emphasize Presidential concerns regarding intelligence issues.

The Council of Wage and Price Stability (COWPS) is a necessary weapon in the continuing fight against inflation and will be retained. To be sure that its work is closely coordinated with the economic analyses performed by the Council of Economic Advisers (CEA), COWPS should be directed by the Chairman of CEA.

III. CENTRALIZE ADMINISTRATIVE FUNCTIONS

About 380 (22 percent) of the full-time, permanent EOP personnel perform administrative support services in EOP units. Most EOP units besides the White House and OMB are too small to provide a full complement of administrative services. They depend on the White House, OMB, GSA, other federal departments, or several of these sources for many of these services. This approach is inefficient; the quality is uneven and the coordination poor. Some services are duplicated, others inconsistently distributed (excess capacity in some units and deficiencies in others), and most too costly.

I propose to combine administrative support operations into a Central Administrative Unit in EOP to provide support in administrative services common to all EOP entities. It should be a separate EOP entity because of the need to assure equal access by all other units.

This consolidation will result in:

Saving of roughly 40 positions and about $1.1 million, improved and more innovative services.

A focus for monitoring the efficiency and responsibility of administrative services.

A base for an effective EOP budget/planning system through which the President can manage an integrated EOP rather than a collection of disparate units.

The EOP has never before been organized as a single, unified entity serving the President. It is only by viewing it as a whole that we can improve efficiency through steps like the Central Administrative Unit.

IV. REDUCE THE SIZE OF WHITE HOUSE AND EOP STAFFS

I am reducing the White House staff by 28 percent, from the 485 I inherited from my predecessor to 351. This involves cuts in my policy and administrative staffs as well as transfers to the Central Administrative Unit.

I estimate that this plan and the other steps I am taking will reduce staff levels in the EOP by about 250, from 1,712 full-time permanent positions to about 1,460 and will save the taxpayers at least $6 million.

As in the rest of the government, I will be reluctant to add staff unless necessary to help me do my job better.

I ask that you support me in improving the operations of the Executive Office of the President by approving the attached reorganization plan.

In summary this plan would:

Abolish the Domestic Council and establish a Domestic Policy Staff.

Establish within the EOP a Central Administrative Unit.

Transfer certain functions of the Council on Environmental Quality to the President for redelegation.

Abolish the Office of Drug Abuse Policy and vest functions in the President for redelegation.

Abolish the Office of Telecommunications Policy and transfer functions to the Department of Commerce and to the President for redelegation.

Create an Assistant Secretary of Commerce for Communications and Information.

Vest some Office of Science and Technology Policy functions in the President for redelegation.

Abolish the Economic Opportunity Council and vest those functions in the President for redelegation.

Transfer the Committee Management Secretariat function of the Office of Management and Budget to the President for redelegation.

Make other incidental transfers attendant to those mentioned above.

Each of the changes set forth in the plan accompanying this message is necessary to accomplish one or more of the purposes set forth in Section 901(a) of Title 5 of the United States Code. I have taken care to determine that all functions abolished by the plan are done so only under statutory authority provided by Section 903(b) of Title 5 of the United States Code. The provisions in the plan for the appointment and pay of any head or officer of any agency have been found by me to be necessary.

As we continue our studies of other parts of the Executive Branch, we will find more ways to improve services in the EOP and elsewhere. This plan is only a beginning, but I am confident that it represents a major step toward a more efficient government that will serve the needs of the people and the President well.

JIMMY CARTER.

THE WHITE HOUSE, July 15, 1977.

EX. ORD. NO. 12028. OFFICE OF ADMINISTRATION IN EXECUTIVE OFFICE OF PRESIDENT

Ex. Ord. No. 12028, Dec. 12, 1977, 42 F.R. 62895, provided:

By virtue of the authority vested in me by the Constitution and statutes of the United States of America, including the National Security Act of 1947, as amended [act July 26, 1947, ch. 343, 61 Stat. 495], Reorganization Plan No. 2 of 1970 (5 U.S.C. App.), Section 202 of the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 581c), and Reorganization Plan No. 1 of 1977 (42 FR 56101 (October 21, 1977)) [set out as a note above], and as President of the United States of America, in order to effectuate the establishment of the Office of Administration in the Executive Office of the President, it is hereby ordered as follows:

SECTION 1. The establishment, provided by Section 2 of Reorganization Plan No. 1 of 1977 (42 F.R. 56101) [set out as a note above], of the Office of Administration in the Executive Office of the President shall be effective, as authorized by Section 7 of that Plan [set out as a note above], on December 4, 1977.

SEC. 2. The Director of the Office of Administration, hereinafter referred to as the Director, shall report to the President. As the chief administrative officer of the Office of Administration, the Director shall be responsible for ensuring that the Office of Administration provides units within the Executive Office of the President common administrative support and services.

SEC. 3. (a) The Office of Administration shall provide common administrative support and services to all units within the Executive Office of the President, except for such services provided primarily in direct support of the President. The Office of Administration shall, upon request, assist the White House Office in performing its role of providing those administrative services which are primarily in direct support of the President.

(b) The common administrative support and services provided by the Office of Administration shall encompass all types of administrative support and services that may be used by, or useful to, units within the Executive Office of the President. Such services and support shall include, but not be limited to, providing support services in the following administrative areas:

(1) personnel management services, including equal employment opportunity programs;

(2) financial management services;

(3) data processing, including support and services;

(4) library, records, and information services;

(5) office services and operations, including: mail, messenger, printing and duplication, graphics, word processing, procurement, and supply services; and

(6) any other administrative support or service which will achieve financial savings and increase efficiency through centralization of the supporting service.

(c) Administrative support and services shall be provided to all units within the Executive Office of the President in a manner consistent with available funds and other resources, or in accord with Section 7 of the Act of May 21, 1920 (41 Stat. 613), as amended (31 U.S.C. 686, referred to as the Economy Act).

SEC. 4. (a) Subject to such direction or approval that the President may provide or require, the Director shall:

(1) organize the Office of Administration;

(2) employ personnel;

(3) contract for supplies or services; and

(4) do all other things that the President, as head of the Office of Administration, might do.

(b) The Director shall not be accountable for the program and management responsibilities of units within the Executive Office of the President; the head of each unit shall remain responsible for those functions.

SEC. 5. The primary responsibility for performing all administrative support and service functions of units within the Executive Office of the President shall be transferred and reassigned to the Office of Administration; except to the extent those functions are vested by law in the head of such a unit, other than the President; and except to the extent those functions are performed by the White House Office primarily in direct support of the President.

SEC. 6. The records, property, personnel, and unexpended balances of appropriations, available or to be made available, which relate to the functions transferred or reassigned by this Order from units within the Executive Office of the President to the Office of Administration, shall be transferred to the Office of Administration.

SEC. 7. (a) The Director of the Office of Management and Budget shall make such determinations, issue such orders, and take all actions necessary or appropriate to effectuate the transfers or reassignments provided by this Order, including the transfer of funds, records, property, and personnel.

(b) Such transfers shall become effective on April 1, 1978, or at such earlier time or times as the Director of the Office of Management and Budget determines, after consultation with the Director of the Office of Administration and other appropriate units within the Executive Office of the President.

JIMMY CARTER.

ABOLITION OF OFFICE OF TELECOMMUNICATIONS POLICY

For effective date of the abolition of the Office of Telecommunications Policy and its transfer of functions, implementing Reorg. Plan No. 1 of 1977, set out above, see Ex. Ord. No. 12046, Mar. 27, 1978, 43 F.R. 13349, set out as a note under section 305 of Title 47, Telegraphs, Telephones, and Radiotelegraphs.

EX. ORD. NO. 12045. IMPLEMENTATION OF REORGANIZATION PLAN RELATING TO DOMESTIC COUNCIL, DOMESTIC POLICY STAFF, OFFICE OF DRUG ABUSE POLICY, AND ECONOMIC OPPORTUNITY COUNCIL

Ex. Ord. No. 12045, Mar. 27, 1978, 43 F.R. 13347, provided:

By virtue of the authority vested in me by the Constitution and laws of the United States of America, including Section 7 of Reorganization Plan No. 1 of 1977 (42 F.R. 56101 (October 21, 1977)) [set out above], Section 202 of the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 581c), and Section 301 of Title 3 of the United States Code, and as President of the United States of America, in order to provide for transfers of the functions of the Office of Drug Abuse Policy, the Domestic Council, and the Economic Opportunity Council, and the abolition of the Office of Drug Abuse Policy, and Domestic Council, and the

Economic Opportunity Council, and for other purposes, it is hereby ordered as follows:

SECTION 1. (a) The transfer of all functions of the Domestic Council, as provided by Section 5D of Reorganization Plan No. 1 of 1977 (42 F.R. 56101), is hereby effective.

(b) The redesignation of the Domestic Council Staff as the Domestic Policy Staff and the other provisions of Section 1 of Reorganization Plan No. 1 of 1977 (42 F.R. 56101), are hereby effective.

(c) The abolition of the Domestic Council, as provided by Section 3A of Reorganization Plan No. 1 of 1977 (42 F.R. 56101), is hereby effective.

(d) The Domestic Policy Staff shall perform such functions as the President may from time to time direct.

SEC. 2. (a) The transfer of all functions of the Office of Drug Abuse Policy and its Director, as provided by Section 5C of Reorganization Plan No. 1 of 1977 (42 F.R. 56101), is hereby effective.

(b) The abolition of the Office of Drug Abuse Policy, as provided by Section 3B of Reorganization Plan No. 1 of 1977 (42 F.R. 56101), is hereby effective.

(c) The Domestic Policy Staff shall assist the President in the performance of the functions transferred by Section 5C of Reorganization Plan No. 1 of 1977 (42 F.R. 56101).

SEC. 3. (a) The transfer of all functions of the Economic Opportunity Council, as provided by Section 5G of Reorganization Plan No. 1 of 1977 (42 F.R. 56101), is hereby effective.

(b) The abolition of the Economic Opportunity Council, as provided by Section 3D Reorganization Plan No. 1 of 1977 (42 F.R. 56101), is hereby effective.

SEC. 4. All provisions of Reorganization Plan No. 1 of 1977 (42 F.R. 56101) not made effective on or prior to the effective date of this Order are hereby effective.

SEC. 5. The records, property, personnel, and unexpended balances of appropriations, available or to be made available, which relate to the functions transferred, assigned, or delegated as provided in this Order are hereby transferred as appropriate.

SEC. 6. The Director of the Office of Management and Budget shall make such determinations, issue such orders, and take all actions necessary or appropriate to effectuate the transfers or reassignments provided in this Order, including the transfer of funds, records, property, and personnel.

SEC. 7. This Order shall be effective March 26, 1978.

JIMMY CARTER.

§ 102. Compensation of the President

The President shall receive in full for his services during the term for which he shall have been elected compensation in the aggregate amount of $200,000 a year, to be paid monthly, and in addition an expense allowance of $50,000 to assist in defraying expenses relating to or resulting from the discharge of his official duties, for which expense allowance no accounting, other than for income tax purposes, shall be made by him. He shall be entitled also to the use of the furniture and other effects belonging to the United States and kept in the Executive Residence at the White House.

(As amended Nov. 2, 1978, Pub. L. 95-570, § 5(a), 92 Stat. 2450.)

AMENDMENTS

1978—Pub. L. 95-570 substituted "Executive Residence at the White House" for "Executive Mansion".

EFFECTIVE DATE OF 1978 AMENDMENT

Section 6(a) of Pub. L. 95-570 provided that: "The amendments made by this Act [enacting sections 107, 108, 112, 113, and 114 of this title, amending this section and sections 103, 105, 106, 109, 110, and 202 of this title, repealing former section 107 of this title, and enacting provisions set out as a note under section 107 of this title] shall apply to any fiscal year which begins on or after October 1, 1978."

FORMER PRESIDENTS; ALLOWANCE; SELECTION, COMPENSATION, AND STATUS OF OFFICE STAFF; OFFICE SPACE; WIDOW'S ALLOWANCE, TERMINATION; "FORMER PRESIDENT" DEFINED

Pub. L. 85-745, Aug. 25, 1958, 72 Stat. 838, as amended by Pub. L. 86-682, § 12(c), Sept. 2, 1960, 74 Stat. 730; Pub. L. 88-426, title I, § 124, Aug. 14, 1964, 78 Stat. 412; Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 660; Pub. L. 90-206, title II, § 224(c), Dec. 16, 1967, 81 Stat. 642; Pub. L. 91-231, § 7, Apr. 15, 1970, 84 Stat. 198; Pub. L. 91-658, § 6, Jan. 8, 1971, 84 Stat. 1963; Pub. L. 95-138, § 1, Oct. 18, 1977, 91 Stat. 1170, provided that:

[See main edition for text of (a)]

"(b) The Administrator of General Services shall, without regard to the civil-service and classification laws, provide for each former President an office staff. Persons employed under this subsection shall be selected by the former President and shall be responsible only to him for the performance of their duties. Each former President shall fix basic rates of compensation for persons employed for him under this paragraph which in the aggregate shall not exceed $96,000 per annum except that for the first 30-month period during which a former President is entitled to staff assistance under this subsection, such rates of compensation in the aggregate shall not exceed $150,000 per annum. The annual rate of compensation payable to any such person shall not exceed the highest annual rate of basic pay now or hereafter provided by law for positions at level II of the Executive Schedule under section 5313 of title 5, United States Code.

[See main edition for text of (c) to (f)]

Pub. L. 95-138, § 2, Oct. 18, 1977, 91 Stat. 1170, provided that: "The amendment made by the first section of this Act [amending this note] shall take effect October 1, 1977."

§ 103. Traveling expenses

There may be expended for or on account of the traveling expenses of the President of the United States such sum as Congress may from time to time appropriate, not exceeding $100,000 per annum, such sum when appropriated to be expended in the discretion of the President and accounted for on his certificate solely.

(As amended Nov. 2, 1978, Pub. L. 95-570, § 4, 92 Stat. 2450.)

AMENDMENTS

1978—Pub. L. 95-570 substituted "$100,000" for "$40,000".

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-570 applicable to any fiscal year beginning on or after Oct. 1, 1978, see section 6(a) of Pub. L. 95-570, set out as an Effective Date of 1978 Amendment note under section 102 of this title.

§ 104. Salary of the Vice President

PAY INCREASE EFFECTIVE FOR PAY PERIOD BEGINNING ON OR AFTER OCTOBER 1, 1978

Pursuant to the Authority vested in him by Pub. L. 94-82, the President, under Ex. Ord. No. 12087, Oct. 7, 1978, 43 F.R. 46823,

set out as a note under section 5332 of Title 5, Government Organization and Employees, adjusted the annual rate of pay for the Vice President, effective on the first day of the first applicable pay period beginning on or after Oct. 1, 1978, to $79,100. Ex. Ord. No. 12087, further provided that pursuant to the Legislative Branch Appropriation Act, 1979, funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1978, which was $75,000.

MAXIMUM RATE OF SALARY OR BASIC PAY IN LEGISLATIVE, EXECUTIVE, AND JUDICIAL BRANCHES FOR FISCAL YEAR ENDING SEPTEMBER 30, 1979, FOR POSITIONS EQUAL OR ABOVE LEVEL V OF EXECUTIVE SCHEDULE

Limitations on use of funds for fiscal year ending Sept. 30, 1979, appropriated by any Act to pay the salary or pay of any individual in legislative, executive, or judicial branch in position equal or above Level V of the Executive Schedule, see section 304 of Pub. L. 95-391 and section 613 of Pub. L. 95-429, set out as a note under section 5318 of Title 5, Government Organization and Employees.

1977 COMPARABILITY ADJUSTMENT NOT EFFECTIVE FOR VICE PRESIDENT

Pub. L. 95-66, § 1(1), July 11, 1977, 91 Stat. 270, set out as a note under section 5318 of Title 5, Government Organization and Employees, provided that the first adjustment which, but for the enactment of Pub. L. 95-66, would have been made in the annual rate of pay for the Vice President under the second sentence of this section after July 11, 1977, would not take effect.

EXECUTIVE ORDER NO. 11941

Ex. Ord. No. 11941, Oct. 1, 1976, 41 F.R. 43899, as amended by Ex. Ord. No. 11943, Oct. 25, 1976, 41 F.R. 47213, formerly set out as a note under section 5332 of Title 5, Government Organization and Employees, which provided for the adjustment of pay rates effective Oct. 1, 1976, was superseded by Ex. Ord. No. 12010, Sept. 28, 1977, 42 F.R. 52365, set out as a note under section 5332 of Title 5.

§ 105. Assistance and services for the President

(a)(1) Subject to the provisons [1] of paragraph (2) of this subsection, the President is authorized to appoint and fix the pay of employees in the White House Office without regard to any other provision of law regulating the employment or compensation of persons in the Government service. Employees so appointed shall perform such official duties as the President may prescribe.

(2) The President may, under paragraph (1) of this subsection, appoint and fix the pay of not more than—

(A) 25 employees at rates not to exceed the rate of basic pay then currently paid for level II of the Executive Schedule of section 5313 of title 5; and in addition

(B) 25 employees at rates not to exceed the rate of basic pay then currently paid for level III of the Executive Schedule of section 5314 of title 5; and in addition

(C) 50 employees at rates not to exceed the maximum rate of basic pay then currently paid for GS-18 of the General Schedule of section 5332 of title 5; and in addition

(D) such number of other employees as he may determine to be appropriate at rates not to exceed the minimum rate of basic pay then currently paid for GS-16 of the General Schedule of section 5332 of title 5.

(b)(1) Subject to the provisions of paragraph (2) of this subsection, the President is authorized to appoint and fix the pay of employees in the Executive Residence at the White House without regard to any other provision of law regulating the employment or compensation of persons in the Government service. Employees so appointed shall perform such official duties as the President may prescribe.

(2) The President may, under paragraph (1) of this subsection, appoint and fix the pay of not more than—

(A) 3 employees at rates not to exceed the maximum rate of basic pay then currently paid for GS-18 of the General Schedule of section 5332 of title 5; and in addition

(B) such number of other employees as he may determine to be appropriate at rates not to exceed the minimum rate of basic pay then currently paid for GS-16 of the General Schedule of section 5332 of title 5.

(c) The President is authorized to procure for the White House Office and the Executive Residence at the White House, as provided in appropriation Acts, temporary or intermittent services of experts and consultants, as described in and in accordance with the first two sentences of section 3109(b) of title 5—

(1) in the case of the White House Office, at respective daily rates of pay for individuals which are not more than the daily equivalent of the rate of basic pay then currently paid for level II of the Executive Schedule of section 5313 of title 5; and

(2) in the case of the Executive Residence, at respective daily rates of pay for individuals which are not more than the daily equivalent of the maximum rate of basic pay then currently paid for GS-18 of the General Schedule of section 5332 of title 5.

Notwithstanding such section 3109(b), temporary services of any expert or consultant described in such section 3109(b) may be procured for a period in excess of one year if the President determines such procurement is necessary.

(d) There are authorized to be appropriated each fiscal year to the President such sums as may be necessary for—

(1) the care, maintenance, repair, alteration, refurnishing, improvement, air-conditioning, heating, and lighting (including electric power and fixtures) of the Executive Residence at the White House;

(2) the official expenses of the White House Office;

(3) the official entertainment expenses of the President;

(4) the official entertainment expenses for allocation within the Executive Office of the President; and

(5) the subsistence expenses of persons in the Government service while traveling on official business in connection with the travel of the President.

Sums appropriated under this subsection for expenses described in paragraphs (1), (3), and

[1] So in original. Probably should be "provisions".

(5) may be expended as the President may determine, notwithstanding the provisions of any other law. Such sums shall be accounted for solely on the certificate of the President, except that, with respect to such expenses, the Comptroller General may inspect all necessary books, documents, papers, and records relating to any such expenditures solely for the purpose of verifying that all such expenditures related to expenses in paragraph (1), (3), or (5). The Comptroller General shall certify to Congress the fact of such verification, and shall report any such expenses not expended for such purpose.

(e) Assistance and services authorized pursuant to this section to the President are authorized to be provided to the spouse of the President in connection with assistance provided by such spouse to the President in the discharge of the President's duties and responsibilities. If the President does not have a spouse, such assistance and services may be provided for such purposes to a member of the President's family whom the President designates.

(As amended Nov. 2, 1978, Pub. L. 95-570, § 1(a), 92 Stat. 2445.)

AMENDMENTS

1978—Pub. L. 95-570 inserted provisions relating to the appointment and determination of pay by the President of employees in the White House Office and the Executive Residence at the White House; the procurement by the President of temporary or intermittent services of experts and consultants and the pay of such experts and consultants; the appropriation of sums for the care, maintenance, etc., of the Executive Residence at the White House, the official expenses of the White House Office, the official entertainment expenses of the President, the official entertainment expenses for allocation within the Executive Office, and the subsistence expenses of Government personnel while traveling on official business in connection with the travel of the President; the accounting of sums by the President; the inspection, certification and report to Congress by the Comptroller General concerning expenditures; and the allotment of assistance and services to the spouse of the President or to a member of the President's family; deleted provisions which authorized the President to fix the compensation of six administrative assistants, the Executive Secretaries of the National Security Council, the National Aeronautics and Space Council, and the Economic Opportunity Council, and eight other secretaries or other immediate staff assistants in the White House Office, at rates of basic pay not to exceed the rate of Executive level II.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-570 applicable to any fiscal year beginning on or after Oct. 1, 1978, see section 6(a) of Pub. L. 95-570, set out as an Effective Date of 1978 Amendment note under section 102 of this title.

§ 106. Assistance and services for the Vice President

(a) In order to enable the Vice President to provide assistance to the President in connection with the performance of functions specially assigned to the Vice President by the President in the discharge of executive duties and responsibilities, the Vice President is authorized—

(1) without regard to any other provision of law regulating the employment or compensation of persons in the Government service, to appoint and fix the pay of not more than—

(A) 5 employees at rates not to exceed the rate of basic pay then currently paid for level II of the Executive Schedule of section 5313 of title 5; and in addition

(B) 3 employees at rates not to exceed the rate of basic pay then currently paid for level III of the Executive Schedule of section 5314 of title 5; and in addition

(C) 3 employees at rates not to exceed the maximum rate of basic pay then currently paid for GS-18 of the General Schedule of section 5332 of title 5; and in addition

(D) such number of other employees as he may determine to be appropriate at rates not to exceed the minimum rate of basic pay then currently paid for GS-16 of the General Schedule of section 5332 of title 5; and

(2) to procure, as provided in appropriation Acts, temporary or intermittent services of experts and consultants, as described in and in accordance with the first two sentences of section 3109(b) of title 5, at respective daily rates of pay for individuals which are not more than the daily equivalent of the rate of basic pay then currently paid for level II of the Executive Schedule of section 5313 of title 5.

Notwithstanding such section 3109(b), temporary services of any expert or consultant described in such section 3109(b) may be procured under paragraph (2) of this subsection for a period in excess of one year if the Vice President determines such procurement is necessary.

(b) In order to carry out the executive duties and responsibilities referred to in subsection (a), there are authorized to be appropriated each fiscal year to the Vice President such sums as may be necessary for—

(1) the official expenses of the Office of the Vice President;

(2) the official entertainment expenses of the Vice President; and

(3) the subsistence expenses of persons in the Government service while traveling on official business in connection with the travel of the Vice President.

Sums appropriated under this subsection for expenses described in paragraphs (2) and (3) may be expended as the Vice President may determine, notwithstanding the provisions of any other law. Such sums shall be accounted for solely on the certificate of the Vice President, except that, with respect to such expenses, the Comptroller General may inspect all necessary books, documents, papers, and records relating to any such expenditures solely for the purpose of verifying that all such expenditures related to expenses in paragraph (2) or (3). The Comptroller General shall certify to Congress the fact of such verification, and shall report any such expenses not expended for such purpose.

(c) Assistance and services authorized pursuant to this section to the Vice President are authorized to be provided to the spouse of the Vice President in connection with assistance provided by such spouse to the Vice President in the discharge of the Vice President's execu-

tive duties and responsibilities. If the Vice President does not have a spouse, such assistance and services may be provided for such purposes to a member of the Vice President's family whom the Vice President designates.

(As amended Nov. 2, 1978, Pub. L. 95-570, § 1(a), 92 Stat. 2446.)

AMENDMENTS

1978—Pub. L. 95-570 inserted provisions relating to the appointment and determination of pay by the Vice President of employees and the procurement by the Vice President of temporary or intermittent services of experts and consultants to enable the Vice President to provide assistance to the President; the appropriation of sums for the official expenses of the Office of the Vice President, the official entertainment expenses of the Vice President, and the subsistence expenses of Government personnel while traveling on official business in connection with the travel of the Vice President; the accounting of sums by the Vice President; the inspection, certification and report to Congress by the Comptroller General concerning expenditures; and the allotment of assistance and services to the spouse of the Vice President or to a member of the Vice President's family; deleted provisions which authorized the President to appoint and fix the compensation of not to exceed six administrative assistants and directed that each assistant perform such duties as the President prescribed.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-570 applicable to any fiscal year beginning on or after Oct. 1, 1978, see section 6(a) of Pub. L. 95-570, set out as an Effective Date of 1978 Amendment note under section 102 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 114 of this title.

§ 107. Domestic Policy Staff and Office of Administration; personnel

(a) In order to enable the Domestic Policy Staff to perform its functions, the President (or his designee) is authorized—

(1) without regard to any other provision of law regulating the employment or compensation of persons in the Government service, to appoint and fix the pay of not more than—

(A) 6 employees at rates not to exceed the rate of basic pay then currently paid for level III of the Executive Schedule of section 5314 of title 5; and in addition

(B) 18 employees at rates not to exceed the maximum rate of basic pay then currently paid for GS-18 of the General Schedule of section 5332 of title 5; and in addition

(C) such number of other employees as he may determine to be appropriate at rates not to exceed the minimum rate of basic pay then currently paid for GS-16 of the General Schedule of section 5332 of title 5; and

(2) to procure, as provided in appropriation Acts, temporary or intermittent services of experts and consultants, as described in and in accordance with the first two sentences of section 3109(b) of title 5, at respective daily rates of pay for individuals which are not more than the daily equivalent of the rate of basic pay then currently paid for level III of the Executive Schedule of section 5314 of title 5.

(b)(1) In order to enable the Office of Administration to perform its functions, the President (or his designee) is authorized—

(A) without regard to such other provisions of law as the President may specify which regulate the employment and compensation of persons in the Government service, to appoint and fix the pay of not more than—

(i) 5 employees at rates not to exceed the rate of basic pay then currently paid for level III of the Executive Schedule of section 5314 of title 5; and in addition

(ii) 5 employees at rates not to exceed the maximum rate of basic pay then currently paid for GS-18 of the General Schedule of section 5332 of title 5; and

(B) to procure, as provided in appropriation Acts, temporary or intermittent services of experts and consultants, as described in and in accordance with the first two sentences of section 3109(b) of title 5, at respective daily rates of pay for individuals which are not more than the daily equivalent of the maximum rate of basic pay then currently paid for GS-18 of the General Schedule of section 5332 of title 5.

(2) In addition to any authority granted under paragraph (1) of this subsection, the President (or his designee) is authorized to employ individuals in the Office of Administration in accordance with section 3101 of title 5 and provisions relating thereto. Any individual so employed under the authority granted under such section 3101 shall be subject to the limitation specified in section 114 of this title.

(c) There are authorized to be appropriated each fiscal year such sums as may be necessary for the official expenses of the Domestic Policy Staff and the Office of Administration.

(Added Pub. L. 95-570, § 2(a), Nov. 2, 1978, 92 Stat. 2448.)

PRIOR PROVISIONS

A prior section 107, act June 25, 1948, ch. 644, 62 Stat. 679, providing that employees of the executive departments and independent establishments of the executive branch of the Government might be detailed from time to time to the White House Office for temporary assistance, was repealed by section 2(a) of Pub. L. 95-570, and is now covered by section 112 of this title.

EFFECTIVE DATE

Section applicable to any fiscal year beginning on or after Oct. 1, 1978, see section 6(a) of Pub. L. 95-570, set out as an Effective Date of 1978 Amendment note under section 102 of this title.

APPLICABILITY OF SUBSEC. (b) TO CURRENT EMPLOYEES OF OFFICE OF ADMINISTRATION

Section 6(b) of Pub. L. 95-570 provided that:

"In the case of an individual—

"(1) who is an employee of the Office of Administration as of the date of the enactment of this Act [Nov. 2, 1978], and

"(2) whose position would be terminated or whose rate of basic pay would be reduced (but for this subsection) by reason of section 107(b) of title 3, United States Code (as amended by this Act) [subsec. (b) of this section],

such employee may be allowed to continue to hold such position and receive basic pay at the rate in effect on the effective date of this Act [see Effective Date of 1978 Amendment note set out under section 102 of this title] during the period which begins on such date and ends 2 years after such date so long as such employee continues as an employee of the Office of Administration."

§ 108. Assistance to the President for unanticipated needs

(a) There is authorized to be appropriated to the President an amount not to exceed $1,000,000 each fiscal year to enable the President, in his discretion, to meet unanticipated needs for the furtherance of the national interest, security, or defense, including personnel needs and needs for services described in section 3109(b) of title 5, and administrative expenses related thereto, without regard to any provision of law regulating the employment or compensation of persons in the Government service or regulating expenditures of Government funds.

(b) The President shall transmit a report to each House of the Congress for each fiscal year beginning on or after the effective date of this subsection which sets forth the purposes for which expenditures were made under this section for such fiscal year and the amount expended for each such purpose. Each such report shall be transmitted no later than 60 days after the close of the fiscal year covered by such report.

(c) An individual may not be paid under the authority of this section at a rate of pay in excess of the rate of basic pay then currently paid for level II of the Executive Schedule of section 5313 of title 5.

(Added Pub. L. 95–570, § 2(a), Nov. 2, 1978, 92 Stat. 2449.)

References in Text

For the effective date of this subsection, referred to in subsec. (b), see section 6(a) of Pub. L. 95–570, set out as an Effective Date of 1978 Amendment note under section 102 of this title.

Prior Provisions

A prior section 108, act June 25, 1948, ch. 644, 62 Stat. 679, directing the Quartermaster General of the Army to provide suitable accommodations for the horses, carriages, and other vehicles of the President and of the Executive Office, was repealed by act June 28, 1950, ch. 383, title IV, § 401(j), 64 Stat. 271.

Effective Date

Section applicable to any fiscal year beginning on or after Oct. 1, 1978, see section 6(a) of Pub. L. 95–570, set out as an Effective Date of 1978 Amendment note under section 102 of this title.

§ 109. Public property in and belonging to the Executive Residence at the White House

The steward, housekeeper, or such other employee of the Executive Residence at the White House as the President may designate, shall under the direction of the President, have the charge and custody of and be responsible for the plate, furniture, and public property therein. A complete inventory, in proper books, shall be made annually in the month of June, under the direction of the Director of the National Park Service, of all the public property in and belonging to the Executive Residence at the White House, showing when purchased, its cost, condition, and final disposition. This inventory shall be submitted to the President for his approval, and shall then be kept for reference in the office of the Director of the National Park Service, which shall furnish a copy thereof to the steward, housekeeper, or other employee responsible for the property.

(As amended Nov. 2, 1978, Pub. L. 95–570, § 5(b)(1), 92 Stat. 2450.)

Amendments

1978—Pub. L. 95–570 substituted in section heading "the Executive Residence at the White House" for "Executive Mansion" and in text "Executive Residence at the White House" for "Executive Mansion" in two places.

Effective Date of 1978 Amendment

Amendment by Pub. L. 95–570 applicable to any fiscal year beginning on or after Oct. 1, 1978, see section 6(a) of Pub. L. 95–570, set out as an Effective Date of 1978 Amendment note under section 102 of this title.

§ 110. Furniture for the Executive Residence at the White House

All furniture purchased for the use of the Executive Residence at the White House shall be, as far as practicable, of domestic manufacture. With a view to conserving in the Executive Residence at the White House the best specimens of the early American furniture and furnishings, and for the purpose of maintaining the interior of the Executive Residence at the White House in keeping with its original design, the Director of the National Park Service is authorized and directed, with the approval of the President, to accept donations of furniture and furnishings for use in the Executive Residence at the White House, all such articles thus donated to become the property of the United States and to be accounted for as such. The said Director of the National Park Service is further authorized and directed, with the approval of the President, to appoint a temporary committee composed of one representative of the American Federation of Arts, one representative of the National Commission of Fine Arts, one representative of the National Academy of Design, one member of the American Institute of Architects, and five members representing the public at large; the said committee to have full power to select and pass on the articles in question and to recommend the same for acceptance.

(As amended Nov. 2, 1978, Pub. L. 95–570, § 5(c)(1), 92 Stat. 2451.)

Amendments

1978—Pub. L. 95–570 inserted in section heading "the Executive Residence at the" preceding "White House" and substituted in text "Executive Residence at the White House" for "President's House" and "Executive Residence at the White House" for "White House" wherever appearing.

Effective Date of 1978 Amendment

Amendment by Pub. L. 95–570 applicable to any fiscal year beginning on or after Oct. 1, 1978, see sec-

tion 6(a) of Pub. L. 95-570, set out as an Effective Date of 1978 Amendment note under section 102 of this title.

§ 112. Detail of employees of executive departments

The head of any department, agency, or independent establishment of the executive branch of the Government may detail, from time to time, employees of such department, agency, or establishment to the White House Office, the Executive Residence at the White House, the Office of the Vice President, the Domestic Policy Staff, and the Office of Administration. Any such office to which an employee has been detailed for service to such office shall reimburse the detailing department, agency, or establishment for the pay of each employee thereof—

(1) who is so detailed, and

(2) who is performing services which have been or would otherwise be performed by an employee of such office,

for any period occurring during any fiscal year after 180 calendar days after the employee is detailed in such year.

(Added Pub. L. 95-570, § 3(a), Nov. 2, 1978, 92 Stat. 2449.)

EFFECTIVE DATE

Section applicable to any fiscal year beginning on or after Oct. 1, 1978, see section 6(a) of Pub. L. 95-570, set out as an Effective Date of 1978 Amendment note under section 102 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 113 of this title.

§ 113. Personnel report

(a) The President shall transmit to each House of the Congress, and make available to the public, reports containing information described in subsection (b) for each fiscal year beginning on or after the effective date of this section. Each such report shall be transmitted no later than 60 days after the close of the fiscal year covered by such report and shall contain a statement of such information for such year.

(b) Each report required under subsection (a) shall contain—

(1) the number of employees who are paid at a rate of basic pay equal to or greater than the rate of basic pay then currently paid for level V of the Executive Schedule of section 5316 of title 5 and who are employed in the White House Office, the Executive Residence at the White House, the Office of the Vice President, the Domestic Policy Staff, or the Office of Administration, and the aggregate amount paid to such employees;

(2) the number of employees employed in such offices who are paid at a rate of basic pay which is equal to or greater than the minimum rate of basic pay then currently paid for GS-16 of the General Schedule of section 5332 of title 5 but which is less than the rate then currently paid for level V of the Executive Schedule of section 5316 of title V[1] and the aggregate amount paid to such employees;

(3) the number of employees employed in such offices who are paid at a rate of basic pay which is less than the minimum rate then currently paid for GS-16 of the General Schedule of section 5332 of title V,[1] and the aggregate amount paid to such employees;

(4) the number of individuals detailed under section 112 of this title for more than 30 days to each such office, the number of days in excess of 30 each individual was detailed, and the aggregate amount of reimbursement made as provided by the provisions of section 112 of this title; and

(5) the number of individuals whose services as experts or consultants are procured under this chapter for service in any such office, the total number of days employed, and the aggregate amount paid to procure such services.

The information required under this subsection to be in any report shall be shown both in the aggregate and by office involved.

(Added Pub. L. 95-570, § 3(a), Nov. 2, 1978, 92 Stat. 2449.)

REFERENCES IN TEXT

For the effective date of this section, referred to in subsec. (a), see section 6(a) of Pub. L. 95-570, set out as an Effective Date of 1978 Amendment note under section 102 of this title.

EFFECTIVE DATE

Section applicable to any fiscal year beginning on or after Oct. 1, 1978, see section 6(a) of Pub. L. 95-570, set out as an Effective Date of 1978 Amendment note under section 102 of this title.

§ 114. General pay limitation

Notwithstanding any provision of law, other than the provisions of this chapter, no employee of the White House Office, the Executive Residence at the White House, the Domestic Policy Staff, or the Office of Administration, nor any employee under the Vice President appointed under section 106 of this title, may be paid at a rate of basic pay in excess of the minimum rate of basic pay then currently paid for GS-16 of the General Schedule of section 5332 of title 5.

(Added Pub. L. 95-570, § 3(a), Nov. 2, 1978, 92 Stat. 2450.)

EFFECTIVE DATE

Section applicable to any fiscal year beginning on or after Oct. 1, 1978, see section 6(a) of Pub. L. 95-570, set out as an Effective Date of 1978 Amendment note under section 102 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 107 of this title.

CHAPTER 3—PROTECTION OF THE PRESIDENT; UNITED STATES SECRET SERVICE UNIFORMED DIVISION

Sec.
202. United States Secret Service Uniformed Division; establishment, control, and supervision; privileges, powers, and duties.

[1] So in original. Probably should be "5".

AMENDMENTS

1977—Pub. L. 95-179, Nov. 15, 1977, 91 Stat. 1371, substituted "United States Secret Service Uniformed Division" for "Executive Protective Service" in chapter heading and in item 202.

§ 202. United States Secret Service Uniformed Division; establishment, control, and supervision; privileges, powers, and duties

There is hereby created and established a permanent police force, to be known as the "United States Secret Service Uniformed Division". Subject to the supervision of the Secretary of the Treasury, the United States Secret Service Uniformed Division shall perform such duties as the Director, United States Secret Service, may prescribe in connection with the protection of the following: (1) the White House in the District of Columbia; (2) any building in which Presidential offices are located; (3) the President and members of his immediate family; (4) foreign diplomatic missions located in the metropolitan area of the District of Columbia; (5) the temporary official residence of the Vice President and grounds in the District of Columbia; (6) the Vice President and members of his immediately[1] family; (7) foreign diplomatic missions located in metropolitan areas (other than the District of Columbia) in the United States where there are located twenty or more such missions headed by full-time officers, except that such protection shall be provided only (A) on the basis of extraordinary protective need, (B) upon request of the affected metropolitan area, and (C) when the extraordinary protective need arises in association with a visit to or occurs at a permanent mission to an international organization of which the United States is a member or an observer mission invited to participate in the work of such organization, provided that such protection may be extended at places of temporary domicile in connection with such a visit; and (8) foreign diplomatic missions located in such areas in the United States, its territories and possessions, as the President, on a case-by-case basis, may direct. The members of such force shall possess privileges and powers similar to those of the members of the Metropolitan Police of the District of Columbia.

(As amended Nov. 15, 1977, Pub. L. 95-179, 91 Stat. 1371; Nov. 2, 1978, Pub. L. 95-570, § 5(d), 92 Stat. 2451.)

AMENDMENTS

1978—Pub. L. 95-570 substituted "White House" for "Executive Mansion and grounds".

1977—Pub. L. 95-179 substituted "United States Secret Service Uniformed Division" for "Executive Protective Service" in catchline and wherever appearing in text.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-570 applicable to any fiscal year beginning on or after Oct. 1, 1978, see section 6(a) of Pub. L. 95-570, set out as an Effective Date of 1978 Amendment note under section 102 of this title.

REFERENCES TO EXECUTIVE PROTECTIVE SERVICE HELD TO BE REFERENCES TO UNITED STATES SECRET SERVICE UNIFORMED DIVISION

Pub. L. 95-179, Nov. 15, 1977, 91 Stat. 1371, provided in part that: "Any reference in any other law or in any regulation, document, record, or other paper of the United States to the Executive Protective Service shall be held to be a reference to the United States Secret Service Uniformed Division."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 208, 209 of this title; title 12 section 3414.

§ 203. Personnel, appointment, and vacancies

(a) The United States Secret Service Uniformed Division shall consist of such number of officers, with grades corresponding to similar officers of the Metropolitan Police force, and of such number of privates, with grade corresponding to that of private of the highest grade in the Metropolitan Police force, as may be necessary but not exceeding twelve hundred in number.

(b) Members of the United States Secret Service Uniformed Division shall be recruited under the civil service laws and regulations on a nationwide basis. Members of such Service may also be appointed from the members of the Metropolitan Police force and the United States Park Police force from lists furnished by the officers in charge of such forces. Whenever any vacancy is created in the Metropolitan Police force or the United States Park Police force as the result of an appointment to the United States Secret Service Uniformed Division, such vacancy shall be filled in the manner provided by law. In the period of time which follows the date of enactment of this sentence and precedes January 1, 1975, not more than thirty members of the Metropolitan Police force may be appointed annually to the United States Secret Service Uniformed Division.

(As amended Nov. 15, 1977, Pub. L. 95-179, 91 Stat. 1371.)

REFERENCES IN TEXT

The date of enactment of this sentence, referred to in subsec. (b), is Mar. 19, 1970, the date of enactment of Pub. L. 91-217.

AMENDMENTS

1977—Pub. L. 95-179 substituted "United States Secret Service Uniformed Division" for "Executive Protective Service" wherever appearing in subsecs. (a) and (b).

§ 204. Grades, salaries, and transfers of appointees

(a) No person shall be appointed a member of the United States Secret Service Uniformed Division at a grade lower than the grade held by him as a member of the Metropolitan Police force or of the United States Park Police force at the time of his appointment.

(b) A member of the United States Secret Service Uniformed Division shall receive a salary at the rate provided for the correspond-

[1] So in original. Probably should be "immediate".

ing grade in the Metropolitan Police force (including longevity increases provided by section 401 of the District of Columbia Police and Firemen's Salary Act of 1958), and he shall be furnished with uniforms and other necessary equipment similar to the uniforms and equipment furnished the United States Park Police, and he shall be entitled to the same leave allowances as a member of the United States Park Police force.

(c) Any member of the United States Secret Service Uniformed Division appointed thereto from the Metropolitan Police force or the United States Park Police force may be transferred to the organization of which he was a member at the time of such appointment.

(As amended Nov. 15, 1977, Pub. L. 95-179, 91 Stat. 1371.)

AMENDMENTS

1977—Pub. L. 95-179 substituted "United States Secret Service Uniformed Division" for "Executive Protective Service" wherever appearing in subsecs. (a), (b), and (c).

§ 206. Privileges of civil-service appointees

Members of the United States Secret Service Uniformed Division not appointed from the Metropolitan Police force or the United States Park Police force shall be entitled to the same privileges as to salary, grade, uniforms, equipment, transfer, leave, relief funds, retirement, and refunds as members appointed from the Metropolitan Police force and the United States Park Police force.

(As amended Nov. 15, 1977, Pub. L. 95-179, 91 Stat. 1371.)

AMENDMENTS

1977—Pub. L. 95-179 substituted "United States Secret Service Uniformed Division" for "Executive Protective Service".

§ 207. Participation in police and firemen's relief fund

(a) For the purposes of retirement under section 12 of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes,[1] approved September 1, 1916, as amended, service with the United States Park Police force shall be deemed service with the United States Secret Service Uniformed Division.

(b) Any member of the Metropolitan Police force appointed to the United States Secret Service Uniformed Division shall continue to be subject to the provisions of section 12 of such Act, and appointment of such member to the United States Secret Service Uniformed Division or transfer of such member to his former organization shall not affect any right, privilege, or duty of such member under the provisions of such section of such Act.

(As amended Nov. 15, 1977, Pub. L. 95-179, 91 Stat. 1371.)

[1] So in original. Probably should close quotation mark.

REFERENCES IN TEXT

Section 12 of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes," approved September 1, 1916, as amended, referred to in text, is act Sept. 1, 1916, ch. 433, § 12, 39 Stat. 718, as amended, which is classified to sections 4-521 to 4-525, 4-526 to 4-533, 4-534 and 4-535 of Title 4, Police and Fire Departments, of the District of Columbia Code. For complete classification of this Act to the District of Columbia Code, see Parallel Reference Tables in the District of Columbia Code.

AMENDMENTS

1977—Pub. L. 95-179 substituted "United States Secret Service Uniformed Division" for "Executive Protective Service" wherever appearing in subsecs. (a) and (b).

CHAPTER 4—DELEGATION OF FUNCTIONS

§ 301. General authorization to delegate functions; publication of delegations

EX. ORD. NO. 10530. DELEGATION OF MISCELLANEOUS FUNCTIONS

Ex. Ord. No. 10530, May 10, 1954, 19 F.R. 2709, as amended by Ex. Ord. No. 10573, Oct. 26, 1954, 19 F.R. 6899; Ex. Ord. No. 10682, Oct. 22, 1956, 21 F.R. 8129; Ex. Ord. No. 10759, March 17, 1958, 23 F.R. 1803; Ex. Ord. No. 10790, Nov. 20, 1958, 23 F.R. 9051; Ex. Ord. No. 10836, Sept. 8, 1959, 24 F.R. 7269; Ex. Ord. No. 10852, Nov. 27, 1959, 24 F.R. 9565; Ex. Ord. No. 10889, Oct. 5, 1960, 25 F.R. 9633; Ex. Ord. No. 10903, Jan. 9, 1961, 26 F.R. 217; Ex. Ord. No. 10960, Aug. 21, 1961, 26 F.R. 7823; Ex. Ord. No. 10970, Oct. 27, 1961, 26 F.R. 10149; Ex. Ord. No. 11012, Mar. 27, 1962, 27 F.R. 2983; Ex. Ord. No. 11116, Aug. 5, 1963, 28 F.R. 8075; Ex. Ord. No. 11164, Aug. 1, 1964, 29 F.R. 11257; Ex. Ord. No. 11184, Oct. 13, 1964, 29 F.R. 14155; Ex. Ord. No. 11196, Feb. 2, 1965, 30 F.R. 1171; Ex. Ord. No. 11222, May 8, 1965, 30 F.R. 6469; Ex. Ord. No. 11228, June 14, 1965, 30 F.R. 7739; Ex. Ord. No. 11230, § 2(1), (3), (5) to (14), June 28, 1965, 30 F.R. 8447; Ex. Ord. No. 12107, Dec. 28, 1978, 44 F.R. 1055, provided:

* * * * *

PART II—THE OFFICE OF PERSONNEL MANAGEMENT

[Superseded by Ex. Ord. No. 11228, § 3(1), (2), (5), June 14, 1965, 30 F.R. 7739]

* * * * *

EX. ORD. NO. 11228. DELEGATION OF FUNCTIONS TO OFFICE OF PERSONNEL MANAGEMENT

Ex. Ord. No. 11228, June 14, 1965, 30 F.R. 7739, as amended by Ex. Ord. No. 11257, Nov. 13, 1965, 30 F.R. 14353; Ex. Ord. No. 12107, Dec. 28, 1978, 44 F.R. 1055, provided:

[See main edition for text of first par.]

SECTION 1. The Office of Personnel Management is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the following:

(1) The authority vested in the Office of Personnel Management by Section 605 of the Federal Employees Pay Act of 1945, 59 Stat. 304 (5 U.S.C. 945) [now covered by sections 5504(c), 5548, and 6101(c)], to issue, subject to the approval of the President, regulations necessary for the administration of certain provisions of that Act insofar as the Act affects officers and employees in or under the executive branch of the Government.

[See main edition for text of (2) to (5)]

SEC. 2. The Director of the Office of Personnel Management is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the authority vested in the President by Section 304(e) of the Government Employees' Incentive Awards Act, 68 Stat. 1113 (5 U.S.C. 2123(e)) [now covered by section 4502(d) of title 5], to determine the activity primarily benefiting, or the various activities benefiting, from any suggestion, invention, superior accomplishment, or other personal effort of any civilian officer or employee of the Government which constitutes the basis of any Presidential award or honorary recognition made or granted under Section 304(b) of that Act (5 U.S.C. 2123(b)) [now covered by sections 4501(2)(A) and 4504 of title 5].

[See main edition for text of secs. 3 to 5]

EX. ORD. NO. 11609. DELEGATION OF CERTAIN FUNCTIONS VESTED IN THE PRESIDENT TO OTHER OFFICERS OF THE GOVERNMENT

Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747, as amended by Ex. Ord. No. 11713, Apr. 21, 1973, 38 F.R. 10069; Ex. Ord. No. 11779, Apr. 22, 1974, 39 F.R. 14185; Ex. Ord. No. 12107, Dec. 28, 1978, 44 F.R. 1055, provided:

[See main edition for text of first par. and secs. 1 to 7]

SEC. 8. *Office of Personnel Management.* The Office of Personnel Management is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the following:

[See main edition for text of secs. 9 to 12]

EX. ORD. NO. 11690. DELEGATION OF FUNCTIONS TO EXECUTIVE DIRECTOR OF DOMESTIC COUNCIL

* * * * *

ABOLITION OF DOMESTIC COUNCIL

The Domestic Council, referred to in section 5 of Ex. Ord. No. 11690, Dec. 14, 1972, 31 F.R. 26815, set out under this section in the 1976 edition of this Code, was abolished and its functions transferred to the President with Power to delegate such functions within the Executive Office of the President pursuant to Reorg. Plan No. 1 of 1977, §§ 1, 3, 5D, 42 F.R. 56101, 91 Stat. 1633, set out preceding section 101 of this title, effective on or before Apr. 1, 1978, at such time as specified by the President. Ex. Ord. No. 12045, Mar. 27, 1978, 43 F.R. 13347, set out preceding section 101 of this title, provided that the abolition and transfer of functions of the Domestic Council be effective Mar. 26, 1978.

EX. ORD. NO. 12001. TRANSFERRING CERTAIN BICENTENNIAL FUNCTIONS TO SECRETARY OF THE INTERIOR

Ex. Ord. No. 12001, June 29, 1977, 42 F.R. 33709, provided:

By virtue of the authority vested in me by Section 7(b) of the Act of December 11, 1973 (87 Stat. 701) [Pub. L. 93-179], hereinafter referred to as the Act, Section 202(b) of the Budget and Accounting Procedures Act of 1950 (64 Stat. 838, 31 U.S.C. 581c(b)), and Section 301 of Title 3 of the United States Code, and as President of the United States of America it is hereby ordered as follows:

SECTION 1. The Secretary of the Interior, hereinafter referred to as the Secretary, shall, through existing National Park Service programs, provide for the continuation of appropriate commemoration of events relating to the American Revolution until December 31, 1983.

SEC. 2. The Secretary shall administer existing contracts and grants of the American Revolution Bicentennial Administration, hereinafter referred to as ARBA.

SEC. 3. In performing the functions described in Sections 1 and 2 of this Order, the Secretary may, in addition to any other available authority, exercise the following powers under the Act which are hereby transferred to him for such purposes until December 31, 1983, except as otherwise provided in subsection (b) of this Section:

(a) All powers described in Section 2(f) of the Act with respect to the expenditure of funds donated to ARBA prior to the effective date of this Order, and the expenditure of revenues received or which may be received pursuant to contracts described in Section 2 of this Order.

(b) Until December 31, 1977, all powers exercised by ARBA prior to the effective date of this Order which relate to enforcement of Section 2(i) of the Act.

(c) All powers described in Section 5(a) of the Act.

SEC. 4. All personnel, records, property and appropriations, including all funds and revenues described in Section 3(a) of this Order, as relate to the powers and functions assigned or transferred by this Order are hereby transferred to the Secretary.

SEC. 5. The Director of the Office of Management and Budget shall make such determinations and issue such orders as may be necessary or appropriate to carry out the transfers provided by this Order.

SEC. 6. Executive Order No. 11840 of February 18, 1975, is hereby revoked.

SEC. 7. This Order shall be effective June 30, 1977.

JIMMY CARTER.